

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DARLENE COOK *et ano.*,

Plaintiffs,

-against-

ORDER

15 CV 6559 (ILG) (CLP)

CITY OF NEW YORK *et al.*,

Defendants.

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POLAK, United States Magistrate Judge:

On November 16, 2015, plaintiff Darlene Cook commenced this action, pursuant to 42 U.S.C. §§ 1983 and 1988, against defendant City of New York (“City”), New York City Police Department (“NYPD”) Officer Arturo Gomez, and NYPD Officers John and Jane Doe 1-3, alleging false arrest and failure to intervene, in violation of her constitutional rights under the First, Fourth, Fifth, Sixth and Fourteenth Amendments of the Constitution, along with a Monell claim against the City. On June 4, 2016, plaintiff Darlene Cook amended the Complaint to add a new plaintiff, Shaqueena Cook, a new defendant, NYPD Officer Edward Liesengang, and a First Amendment retaliation claim.

The Court has endorsed the attached subpoena ORDERING the Clerk of the New York State Family Court for the County of Queens, 151-20 Jamaica Avenue, 5th Floor, Jamaica, NY 11432 to produce the Certified Family Court filings in Index Numbers NN-17534/2013 and NN-04515/2014, along with the other information specified in the attached subpoena and its incorporated rider. The subpoenaed documents relate to plaintiff Shaqueena Cook and her children, C.C. and M.C.

The attached subpoena is the Order of this Court. If the Clerk of the New York State Family Court for the County of Queens fails to comply with the subpoena, it will be

required to appear before this Court to explain its non-compliance and why sanctions should not issue.

Any questions regarding the subpoena should be directed to plaintiffs' counsel, Ryan Lozar, Esq., at (310) 867-1562.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

SO ORDERED.

Dated: Brooklyn, New York
February 1, 2018

 /s/ Cheryl Pollak

Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Dariene Cook, et al.,

 PlaintiffCity of New York, et al.,
v. Defendant

Civil Action No. 15-6559

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTIONTo: Clerk of New York State Family Court, County of Queens
151-20 Jamaica Avenue, 5th Floor; Jamaica, NY 11432

(Name of person to whom this subpoena is directed)

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Certified Family Court filings and records, including transcripts of court appearances, for Docket Numbers NN-17534/2013 and NN-04515/2014. These docket numbers correspond to Respondent Shaqueena Cook and her children C.C. and M.C. Full names and DOBs for these individuals appear in the attached rider.

Place: Law Office of Ryan Lozar
305 Broadway, Room 1001
New York, NY 10007

Date and Time:

FRIDAY, FEBRUARY 16, 2018 12pm

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

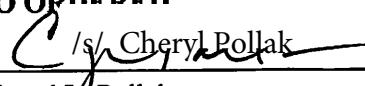
Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 1/31/2018

SO ORDERED


/s/ Cheryl PollakCheryl L. Pollak
United States Magistrate Judge
Dated: February 1, 2018
Ryan Lozar
Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Shaqueena Cook and Dariene Cook, who issues or requests this subpoena, are:
Ryan Lozar; Law Office of Ryan Lozar; 305 Broadway, Suite 1001; New York, NY 10007; (310) 867-1562;
ryanlozar@gmail.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 15-6559 (ILG) (CLP), Darlene Cook, et al., v. City of NY, et al.

SUMMONS RIDER

This rider to the attached Rule 45 subpoena, issued pursuant to the Federal Rules of Civil Procedure (“FRCP”), provides supplemental information relevant to the identification of responsive records.

1. The subpoena directs the production of records relating to Queens Family Court Docket No. NN-17534/2013 and Docket No. NN-045515/2014. Shaqueena Cook (DOB [REDACTED]) (SSN [REDACTED]) is a respondent in the above-referenced cases, and the minors who are the subjects of those cases are C [REDACTED] C [REDACTED] (DOB [REDACTED]) and M [REDACTED] C [REDACTED] (DOB [REDACTED]).
2. Responsive records include, but are not limited to: petitions, filings and transcripts of court proceedings. Again, the relevant cases are Queens Family Court Docket Nos. NN-17534/2013 and NN-045515/2014 as described in ¶ 1.
3. Initially, the subpoena directs the production of court-proceeding transcripts in Docket Nos. NN-17534/2013 and NN-045515/2014 for the period beginning March 1, 2014, and running through and including May 31, 2014. Production of these transcripts may satisfy this subpoena in full.
4. Records and transcripts responsive to this subpoena need not be redacted prior to production as directed herein. The Court issuing this subpoena has entered a Confidentiality Order requiring the Parties to handle sensitive discovery according to the Order’s terms and conditions. The Parties accordingly know to treat any records and transcripts produced in response to this subpoena pursuant to the terms and conditions of that Order.

In lieu of personal appearance by the records custodian and/or personal service of a production of responsive records, this subpoena may be satisfied by producing certified copies of the responsive records on or before Friday, February 16, 2018, to the Law Office of Ryan Lozar, c/o Ryan Lozar, Esq., 305 Broadway, Suite 1001, New York, NY 10007. Electronic service is also accepted at ryanlozar@gmail.com. Any and all questions regarding the same may be directed to Ryan Lozar, Esq., of that office at (310) 867-1562 or ryanlozar@gmail.com.

Should the recipient of this subpoena reasonably need additional time to comply, the recipient may direct inquiries to Mr. Lozar, the attorney whose contact information is listed herein.